

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 21 September 2007

Case No.: 2007-AIR-00012

In the Matter of:

DANIEL W. MOORE,

Complainant,

v.

KALITTA AIR,

Respondent.

ORDER APPROVING SETTLEMENT AGREEMENT
AND DISMISSING COMPLAINT
AND ORDER CANCELING HEARING

This proceeding arises from a complaint filed by Daniel W. Moore against Kalitta Air alleging violations of the employee protection provisions of § 519 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, 49 U.S.C. § 42121, (Act), and its implementing regulations at 29 C.F.R. Part 1979. A hearing has been scheduled for November 15, 2007, in Ann Arbor, Michigan.

On September 13, 2007, the parties filed a "Stipulation for Dismissal with Prejudice." Complainant agrees therein to a dismissal of his complaint in return for certain consideration offered him by Respondent. The agreement between the parties is incorporated hereby by reference, and they jointly request that the hearing be cancelled and the complaint be dismissed with prejudice. After careful consideration of the terms and conditions set forth therein, I find them to be fair, adequate, and reasonable. Furthermore, I find that it is in the public interest to adopt the parties' agreement as a basis for the administrative disposition of this case. Therefore,

IT IS HEREBY ORDERED that the complaint filed by Daniel W. Moore in the above-captioned matter is DISMISSED, with

prejudice. IT IS FURTHER ORDERED that the hearing scheduled for November 14, 2007, in Ann Arbor, Michigan, is CANCELLED.

A

LARRY S. MERCK
Administrative Law Judge